

REMARKS/ARGUMENTS

In this reply, Claims 1-2, 10-15, and 22-25 are amended. Claims 1-26 are pending in the application. The amendments to the claims as indicated herein do not add any new matter to this application. Furthermore, amendments made to the claims as indicated herein have been made to exclusively improve readability and clarity of the claims and not for the purpose of overcoming alleged prior art.

CLAIM REJECTIONS—35 U.S.C. § 101

Claims 1-13 were rejected under 35 U.S.C. § 101 for allegedly being directed to non-statutory subject matter. The rejection is respectfully traversed.

“A claimed process is surely patent-eligible under § 101 if: (1) it is tied to a particular machine or apparatus, or (2) it transforms a particular article into a different state or thing.” *In re Bilski*, 545 F.3d 943.

The processes claimed in Claims 1-13 are integrally tied to a machine. Claims 1-13 feature a “machine-implemented method for executing a database statement” with a “database server receiving a request to execute the database statement.” In response to receiving the request, the database server stores a tag specified by the request. The database server executes a database statement. During execution of the database statement, the database server provides access to a value through a “tag access mechanism provided by said database server.”

Therefore, the processes in Claims 1-13 are patentable subject matter under 35 U.S.C. § 101. Applicant respectfully requests reconsideration of the rejections under 35 U.S.C. § 101 in light of the amendments and remarks above.

CLAIM REJECTIONS—35 U.S.C. § 102

Claims 1-26 were rejected under 35 U.S.C. § 102(b) as being allegedly anticipated by U.S. Patent Application Publication No. 2003/0014394 (“Fujiwara”). This rejection is respectfully traversed.

CLAIM 1

Claim 1 recites:

A machine-implemented method for executing a database statement, the method comprising the steps of:
a database server receiving a request to execute the database statement, wherein the request specifies the database statement and a tag that does not conform to a database language of said database statement;
wherein said tag specifies at least one parameter field and at least one parameter value;
in response to receiving the request, said database server storing the tag in a machine-readable storage medium;
said database server executing said database statement, wherein during execution of said database statement said database server provides access to one or more of the at least one parameter value through a tag access mechanism provided by said database server.

In Claim 1, the database server receives a request that “specifies the database statement,” for example, a query, “and a tag that does not conform to a database language of said database statement.” The tag “specifies at least one parameter field and at least one parameter value.” In response to receiving the request, the database server stores the tag. The database server executes the database statement, and “during execution,” the database server “provides access to one or more of the at least one parameter value through a tag access mechanism.”

Fujiwara involves a database management system that stores mask functions (par. 74). The “mask functions are defined by conventional SQL-type syntax” (par. 54). An “original query,” 1102 as shown in FIGS. 11 and 12, “is written using conventional SQL constructs.” The original query is translated into a “translated query,” 1202 as shown in FIG. 12. During

translation, “certain column references are replaced with mask functions.” Specifically, “the translation process 1210 is simply a textual replacement in the original query of the masked column references by their corresponding function calls.” As shown in FIG. 12, the translated query is a “SQL Query” executed by the database management system.

Importantly, Claim 1 features “a tag that does not conform to a database language of said database statement.” **In FIG. 12 of Fujiwara, the original query (1102) and the translated query (1202) are both SQL queries.** The translated query (1202) is transmitted to the database management system (par. 74). The database management system contains mask functions, which conform to the SQL syntax (par. 54). **The cited elements all conform to SQL.** Therefore, the cited elements in Fujiwara do not show “a tag that does not conform to a database language of said database statement,” as recited in Claim 1.

Further, the tag in Claim 1 “specifies at least one parameter field and at least one parameter value.” The database server stores the tag, and, during execution of the database statement, provides access to one or more of the at least one parameter value. In Fujiwara, the mask functions and their corresponding definitions on the database management system are called by the translated query. The translated query contains a call or a reference to a function on the database management system, not a “parameter value” that is accessed “during execution” of the query. Accordingly, Fujiwara does not show a tag that “specifies at least one parameter field and at least one parameter value” that are accessed “during execution of said database statement.”

For at least the reasons stated, Claim 1 is patentable over the prior art of record. Applicant respectfully requests reconsideration of the rejection of Claim 1 under 35 U.S.C. § 102(b) in light of the amendments and remarks above.

CLAIM 2

Claim 2 depends from Claim 1 and is patentable over the prior art of record for at least those reasons stated with respect to Claim 1. Further, Claim 2 features: “wherein the database statement is written in a language in which results desired are specified by the database statement, and no procedures for obtaining the results desired are specified by the database statement.” At best, Fujiwara, as discussed with respect to Claim 1, involves a query that is translated to incorporate mask functions, or procedures, for obtaining results. Accordingly, Fujiwara does not show that “no procedures for obtaining the results desired are specified by the database statement,” as required by Claim 2. Applicant respectfully requests reconsideration of the rejection of Claim 2 under 35 U.S.C. § 102(b) in light of the amendments and remarks above.

CLAIMS 3-9

Claims 3-9 depend from Claim 1 and are patentable over the prior art of record for at least those reasons stated with respect to Claim 1. To expedite the examination and issuance of the claims, separate arguments are not presented with respect to Claims 3-9. Applicant respectfully requests reconsideration of the rejections of Claims 3-9 under 35 U.S.C. § 102(b) in light of the amendments and remarks above.

CLAIMS 10-12

Claims 10-12 depend from Claim 1 and are patentable over the prior art of record for at least those reasons stated with respect to Claim 1. Further, Claims 10-12 feature: “wherein the at least one parameter value can be accessed without accessing a session space associated with a session window, wherein the database statement was issued within the session window.” In Fujiwara, item 1212 of FIG. 12 is “a set of user-defined functions,” not a session space. Even if the set of user-defined functions was a session space, Fujiwara requires that the functions are

accessed when executing the translated database statement because the translated database statement contains calls to the functions. Therefore, Fujiwara does not show “wherein the at least one parameter value can be accessed without accessing a session space associated with a session window.” Moreover, the plurality of report templates 734 in Fujiwara is not a “session window.” Applicant respectfully requests reconsideration of the rejections of Claims 10-12 under 35 U.S.C. § 102(b) in light of the amendments and remarks above.

CLAIM 13

Claim 13 depends from Claim 1 and is patentable over the prior art of record for at least those reasons stated with respect to Claim 1. Further, Claim 13 features: “wherein the at least one parameter value can be accessed after a session window has closed, wherein the database statement was issued within the session window.” As discussed, the plurality of report templates 734 in Fujiwara is not a “session window.” Applicant respectfully requests reconsideration of the rejection of Claim 13 under 35 U.S.C. § 102(b) in light of the amendments and remarks above.

CLAIMS 14-26

Claim 14 contains limitations that are substantially similar to the limitations in Claim 1. Therefore, Claim 14 is patentable over the prior art of record for at least those reasons stated with respect to Claim 1.

Claims 15-26 depend from Claim 14 and are patentable over the prior art of record for at least those reasons stated with respect to Claim 14. Also, each of Claims 15-26 contains limitations that are substantially similar to the limitations in one of Claims 2-13. Therefore, each of Claims 15-26 is patentable over the prior art of record for those additional reasons stated with

respect to one of Claims 15-26. Applicant respectfully requests reconsideration of the rejections of Claims 14-26 under 35 U.S.C. § 102(b) in light of the amendments and remarks above.

CONCLUSION

For the reasons set forth above, it is respectfully submitted that all of the pending claims are now in condition for allowance. Therefore, the issuance of a formal Notice of Allowance is believed next in order, and that action is most earnestly solicited.

The Examiner is respectfully requested to contact the undersigned by telephone if it is believed that such contact would further the examination of the present application.

Please charge any shortages or credit any overages to Deposit Account No. 50-1302.

Respectfully submitted,

Hickman Palermo Truong & Becker LLP

Dated: May 18, 2009

/Eric L. Sutton#61173/

Eric L. Sutton

Reg. No. 61,173

2055 Gateway Place, Suite 550
San Jose, California 95110-1089
Telephone No.: (408) 414-1080
Facsimile No.: (408) 414-1076